US DULLMENT LLECTRONICALLY FILED

COURTESY COPY

DOC #: IN THE UNITED STATES DISTRICT COURT **SOUTHERN DISTRICT OF NEW YORK**

CHLOÉ, S.A.S., J. CHOO LIMITED

Plaintiffs,

Civil Action No.: 07 CV 6491 (WHP)

- against -

KEN CHEN a/k/a SHU CHEN a/k/a XIANG CHEN, DANIEL DOE, GODDESS TRADING d/b/a GODDESSTRADING@HOTMAIL.COM, LUXUNG GOODS, LÜXURY GOODS, TERRY DOE d/b/a DOE d/b/a JARRY326@YAHOO.COM.CN. FASHION HANDBAGS, BENNY DOE a/k/a YU LIN, JEANCARLO DOE, JOSEPH a/k/a JOSE DOE a/k/a JOSE CHONG WEN, SISI a/k/a CECI DOE, TOP LUXURY HANDBAGS d/b/a LUXURYHANDBAGS277@YAHOO.COM, : FRANCISCO DOE, BEN DOE, CARLOS DOE a/k/a CARLOS RENE TSE SIO, INSTYLE LUXURY HANDBAGS, LIN LIN NAN a/k/a CORINA DOE a/k/a OIMIAO HU a/k/a QI MIAO HU, KENNY DOÈ a/k/a YE GUO a/k/a GUO Q YE, NEWCOME TRADING d/b/a TOSCA, QUICK GLOBAL: SHIPPING, HOWARD EXPRESS SHIPPING, RANDY DOE, JAE MAN YOO, YAN HE XIA, WAI KIT WONG, CHEN LI YU, CHEN X. JIANG, W. FEI ZENG, CHENG CHEN, XIANXN CAI, FU ALEJANDRO CHANG, WAI KIT LEW, ENYI HUANG, YUE XU, SONG GAO, LISA WU, JIMMY NG, TUAN PHAN, LING CAI, LISA CHAN YAN FEN CHEN, P.S.K. : AMERICA, INC., HENG FA INC., CHEN STAR GIFT SHOP, JOEY'S GIFT SHOP. INC., CATSE CO., INC., SHEN XING GIFT SHOP INC., NEW WEALTH TRADING, INC. d/b/a TOSCA USA, TOSCA HANDBAGS, NICE HANDBAGS, 265 CANAL BOOTH #16, 265 CANAL BOOTH: #5, 265 CANAL BOOTH #4, 277 CANAL ADJACENT H-3D, 421A BROADWAY, and various JOHN and JANE DOES and XYZ COMPANIES (UNIDENTIFIED),

Defendants.

. PERMANENT INJUNCTION AND FINAL JUDGMENT ON CONSENT AS TO DEFENDANTS LIN LIN NAN a/k/a CORINA DOE a/k/a QIMIOA HU a/k/a QI MIAO HU AZNTERRY911@HOTMAIL.COM, JASON . d/b/a qimiaoh@hotmail.com, XIANXN CAI, LING CAI, CHENG CHEN, JOEY'S GIFT SHOP, INC. and CHEN STAR GIFT SHOP AND-PROPOSED ORDER THEREON

SOCALTAL

WILLIAM H. P. NULLEY III U.S.D.F Plaintiffs Chloé, S.A.S. and J. Choo Limited, having commenced this action for an injunction and other relief against, *inter alia*, Defendants Lin Lin Nan a/k/a Corina Doe a/k/a Qimioa Hu a/k/a Qi Miao Hu d/b/a qimiaoh@hotmail.com, individually, Xianxn Cai, individually, Ling Cai, individually, Cheng Chen, individually, Joey's Gift Shop, Inc. and Chen Star Gift Shop ("Settling Defendants") pursuant to the Lanham Act, 15 U.S.C. § 1051, *et seq.*, as amended by the Trademark Counterfeiting Act of 1984, Public Law 98-473, and under the laws of the State of New York, for trademark counterfeiting, trademark infringement, trademark dilution, unfair competition and false designation of origin, and unlawful deceptive acts and practices for the reason that the Settling Defendants are alleged to be engaged in importing, distributing, offering for sale and/or selling, among other things, products that bear counterfeits and/or infringing imitations of Plaintiffs' trademarks described and defined in the Complaint (collectively "Plaintiffs' Marks"); and

Settling Defendants, having entered into a Settlement Agreement (the "Settlement Agreement") with Plaintiffs and having stipulated to the entry of a Permanent Injunction and Final Judgment; and

Settling Defendants, do not admit to liability by entering into the Settlement Agreement with Plaintiffs and having stipulated to the entry of a Permanent Injunction and Final Judgment; and

The parties, having indicated below their consent to the form and entry of this Permanent Injunction and Final Judgment on Consent (the "Injunction").

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

Settling Defendants, their agents, servants, employees, representatives, confederates, affiliates and any other persons or entities acting in concert or participation with them, hereby agree to be, and are permanently enjoined and restrained from:

(a) Using the Plaintiffs' Marks or any reproduction, counterfeit or copy of Plaintiffs' Marks, in connection with the importation, exportation, manufacture, distribution, advertising, promotion, offer for sale and/or sale of products that are not Plaintiffs' Products (as defined in the Settlement Agreement), or in any manner likely to

cause others to believe Settling Defendants' products are connected with Plaintiffs or Plaintiffs' Products; and

- (b) Passing off, inducing, or enabling others to sell or pass off any products which are not Plaintiffs' Products as and for genuine Plaintiffs' Products; and
- (c) Committing any other acts calculated to cause purchasers or prospective purchasers to believe Settling Defendants' products are connected with Plaintiffs' Products, unless they are such; and
- (d) Manufacturing or arranging the manufacture of, importing, exporting, shipping, delivering, distributing, offering for sale, selling and/or otherwise moving or disposing of, in any manner, products falsely bearing one or more of Plaintiffs' Marks, logos or trade names, or any reproduction, counterfeit or copy of same; and
- (e) Making any representations, orally or in writing, to any member or segment of the public, that they are authorized, licensed or otherwise permitted by Plaintiffs to manufacture, export, import, ship, deliver, distribute, offer for sale and/or sell Plaintiffs' Products unless they are such; and
- (f) Assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in the above subsections (a) through (e).

IT IS FINALLY ORDERED, that this Court has jurisdiction over the parties, and the subject matter of the action. This Court shall retain jurisdiction to the extent necessary to enforce this Injunction and the Settlement Agreement between the parties, which is hereby made a part hereof and incorporated by reference, and to determine any issues that may arise under either.

CONSENTED TO BY CHLOÉ, S.A.S. and J. CHOO LIMITED

Datad:

1/9/05

By:

Harley I. Lewin (HL 1819) Scott Gelin (SG 9599)

James Donoian (JD 9052) GREENBERG TRAURIG, LLP 200 Park Avenue, 34th Floor MetLife Building New York, New York 10166 Telephone: (212) 801-9200 Facsimile: (212) 801-6400

-and-

Katherine Compton GREENBERG TRAURIG, LLP 2200 Ross Avenue Suite 5200 Dallas, Texas 75201 Telephone: (214) 665-3660 Facsimile: (214) 665-5960 Admitted pro hac vice

Attorneys for Plaintiffs Chloé, S.A.S., J. Choo Limited

CONSENTED TO BY LIN LIN NAN a/k/a CORINA DOE a/k/a QIMIOA HU a/k/a QI MIAO HU d/b/a qimiaoh@hotmail.com, XIANXN CAI, LING CAI, CHENG CHEN, JOEY'S GIFT SHOP, INC. and CHEN STAR GIFT SHOP

Dated: $\frac{5}{9/2008}$

By:

Kevin K. Tung V V V V 33-70 Prince Street, Suite CA-30

Flushing, NY 11354

Tel: 718-939-4633 Fax: 718-939-4468

Attorneys for Defendants Lin Lin Nan a/k/a Corina Doe a/k/a Qimioa Hu a/k/a Qi Miao Hu d/b/a qimiaoh@hotmail.com, individually, Xianxn Cai, individually, Ling Cai, individually, Cheng Chen, individually, Joey's Gift Shop, Inc. and Chen Star Gift Shop

SO ORDERED

Dated:

By: UNITED STATES DISTRICT JUDGE